



Krieg Devault

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P. 1

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ATTORNEYS AT LAW

## FAX COVER PAGE

DATE: December 9, 2005

PAGES INCLUDING THIS PAGE: 13

TO: United States Patent and Trademark Office  
COMPANY: Examiner Annette R. Reimers, Art Unit 3732

FAX NUMBER: 571-273-2885  
PHONE NUMBER:

FROM: Douglas A. Collier

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RE: Response to Office Action for U.S. Patent Application No. 10/625,418 to Kevin T. Foley et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-2885 on:

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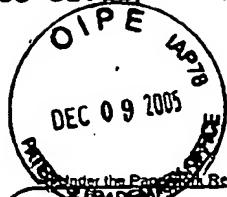
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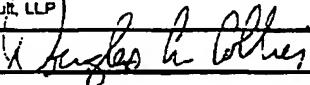
Total Number of Pages in This Submission

Application Number	10625,418
Filing Date	July 23, 2003
First Named Inventor	Kevin T. Foley et al.
Art Unit	3732
Examiner Name	Annette R. Reimers
Total Number of Pages in This Submission	12
Attorney Docket Number	MSDI-S2/PC459.08

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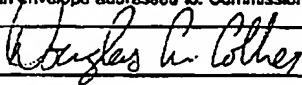
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg Devault, LLP		
Signature			
Printed name	Douglas A. Collier		
Date	December 9, 2005	Reg. No.	43,558

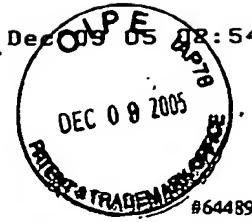
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Signature			
Typed or printed name	Douglas A. Collier	Date	December 9, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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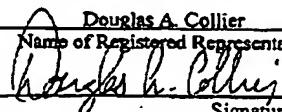
In re patent )  
application of: )  
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Kevin T. Foley et al. )  
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Serial No. 10/625,418 )  
 )  
Filed: July 23, 2003 )  
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METHODS AND INSTRUMENTS FOR )  
INTERBODY SURGICAL TECHNIQUES )  
 )  
Before the Examiner: )  
Annette R. Reimers  
Group Art Unit:  
3732  
Atty Docket No.:  
MSDI-52/PC459.06  
December 9, 2005

RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents  
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Sir:

In response to the Office Action dated 9 September 2005, please consider the following. No fees or extensions of time are believed due for consideration of the enclosed. However, please provide any extensions of time which may be necessary and charge any fees which may be due to Deposit Account No. 12-2424 but not to include any payment of issue fees.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:
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Douglas A. Collier Name of Registered Representative
 Signature
December 9, 2005 Date of Signature

Response to First Office Action  
USSN 10/625,418  
Atty Docket No. 4002-3363/PC459.06  
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